



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

May 19, 2004

To Aquatic Noxious Weed Permittees

Minor Permit Modification for Permit No. WAG-993000, Aquatic Noxious Weed Control NPDES General Permit regarding Conditions for use of the herbicide triclopyr TEA.

The above referenced permits have been modified to include the herbicide triclopyr TEA (thiethylamine)-(Renovate®). Triclopyr is authorized for use in aquatic environments in Washington State to control submerged, floating, and emergent aquatic plants subject to all Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) label requirements and the following conditions:

1. To minimize drift, aerial applications of triclopyr are not allowed under this permit.
2. As stated in the Environmental Impact Statement, the following applies to the wetlands, estuaries, and marshes that treated water may flow into. This requirement is in place to provide the strongest protection of beneficial native plants that provide habitat for juvenile salmon and other aquatic life. (Risk Assessment, Sec. 4.4)

The total application of these products should not exceed 2.5 ppm a.e. for the treatment area per annual growing season. The total application of these products to control floating and emerged weeds should not exceed 2 gallons formulation/ acre per annual growing season.

3. The Washington State Department of Health has recommended a 12-hour advisory for re-entry into triclopyr treated water to assure that the eye irritation potential and any other adverse effects will not occur. This advisory will be a restriction under the permit.
4. Groundwater monitoring is required under the following conditions:

Ground water or sediment monitoring is required prior to any third application of triclopyr on a previously treated site planned within a three-year period. Evidence of persistence of triclopyr or TCP in sediment or ground water is basis for denial of the third application.

May 19, 2004

5. Only apply triclopyr subsurface when large populations of birds use shorelines or islands in the water body for nesting or wait to treat until after nesting is complete. Avoid migratory waterfowl and other bird species that use certain water bodies during migration. If any waterfowl using the water body are listed under ESA, special conditions could exist. Please contact WDFW prior to treatment if there are threatened or endangered migratory birds using the water body.

Please contact Kathleen Emmett of my staff at (360)407-6478 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Peeler". The signature is fluid and cursive, with the first name "David" being the most prominent.

David C. Peeler, Manager
Water Quality Program

km:ak